VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION

Docket No. 026.00302

STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION 026.00302											
	Issue Date										
, F	CT/U	S00/01681	January 21, 2000								
Applicant/ Peerce Patentee:											
Inven	Invention: INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION										
	···										
I here	eby de	clare that I am an offi	cial empowered to act on l	behalf of the nonprofit organization	n identified below:						
		ORGANIZATION:	The University of Texas	System							
	RESS	OF ORGANIZATION	201 W. 7th Street Austin, Texas 78701								
<u>l</u>			Austin, Texas 70701								
TYPE	E OF N	NONPROFIT ORGANIZATION:									
'n.j	\boxtimes	University or other Institute of Higher Education									
		Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))									
13		Nonprofit Scientific or Educational under Statute of State of The United States of America Name of State: Citation of Statute:									
		Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America									
		Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America									
		Name of State:		Citation of Statute:							
37 C.	F.R. 1		, _	zation qualifies as a nonprofit o e United States Patent and Trade	_						
	\boxtimes	the application identified above.									
		the patent identified above.									
	•	clare that rights unde		en conveyed to and remain with	the nonprofit organization						
	_			anization are not exclusive, ea							

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:										
			organization ex or organization	tists. is listed below.						
FULL NAME ADDRESS		Individual		Small Business Concern		Nonprofit Organization				
FULL NAME ADDRESS		Individual		Small Business Concern		Nonprofit Organization				
FULL NAME ADDRESS				0		Nonprofit Organization				
FULL NAME		Individual		Small Business Concern		Nonpront Organization				
		Individual		Small Business Concern	rn or organiz	Nonprofit Organization				
Separate verified statements are required from each named person, concern or organization having rights to the Invention averring to their status as small entities. (37 CFR 1.27) I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.										
NAME OF PE			Ray Farabee							
ADDRESS OF PERSON SIGNING: ADDRESS OF PERSON SIGNING: The University of Texas System 201 W. 7th Street Austin, Texas 78701										
SIGNATURE:		2	b	Company DAT	E: <u>Septe</u> m	mber 1, 2000				

The state of the s

DECLARATION FOR UTILITY OR

DESIGN

PATENT APPLICATION

(37 CFR 1.63)

026.00302

COMPLETE IF KNOWN

PTO/IBC1 (12-97)
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Attorney Docket Number

First Named Inventor

Application Number

Submitted CR Submitted after Initial Filing (surcharge (STOR) 1.16 (e)) Filing (Surcharge (STOR) 1.16 (e)) Examiner Name As a bolow named inventor, I hereby declare My residence, post office address, and citizenship are as asiated below next to my name I believe i am the original, first and sola inventor (if only one name is itsiad below) or an original, first and joint inventor (if plural inames are listed below) of ms subject notice which is address and for which is pasent a south on the invention entitled: INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION this specification of which (Tile of the Invention) is a statished hereto OR was filed on (MM/DDYYYY) 01/21/2000 as United States Application Number or PCT International Application Number PCT/USO/01681 and was amended on (MM/DDYYYY) (if applicable). I hereby state that I have removed and understand the consents of the above isenshifed specification, including the claims, as amended by any amendment specification which above the state of the above scenaficed specification, including the claims, as amended by any amendment specification which dissignated at least one country of the three the tributed States of America, Sided below and have also identified below. Any foreign application for patent of inventor's certification on which priority is dismed. I hereby claim function in which priority is dismed. Additional propriation in numbers are listed on a sucrismental grown state sheet PTO/SR025 attached to the control of the priority in the priority is dismed. Additional propriational application. States of any CT international application in numbers are listed on a sucrismental grown state sheet PTO/SR025 attached below. Application Number(s) Filing Date (MM/DD/YYYY) Additional proposicional application. Additional proposicional application.	✓ and and		Filing Date					
Filling (37 CFR 1.16 (e)) Examiner Name As a bottow named inventor, I hereby declare My residence, post office address, and ditranship are as sisted below next to my name It believe i am the original, first and sea inventor of only one name is tisted below of an adjoinal, first and joint inventor (if plural names are fielded below) of the authority of my subject matter which is elaimed and for which a perset is security on the invention entitled: INHIBITORS OF INTESTINAL APICAL MEMBRANE NAVPHOSPHATE CO-TRANSPORTATION the specification of which (Tille of the Invention) as attached hereto OR Was filed on (MMDD0000) Application Number PCT/US/00/01681 and was amended an (MMDD0000) as United States Application Mumber or PCT International Application Number PCT/US/00/01681 and was amended apparticular, including the claims, as amended by any amendment specifically referred to above. Lacenowledge the duty to disdicus information which is material to potentiability as defined in 37 CFR 1.58. Thereby claim foreign priority benefits under 35 U.S.C. 113(e)-(f) or 38(b) of any today application, including the claims, as any priority benefits under 35 U.S.C. 113(e)-(f) or 38(b) of any today application for potential priority is claimed. Thereby claim foreign priority benefits under 35 U.S.C. 113(e)-(f) or 38(b) of any today application for inventor's certificate, or 38(a) of any PCT international application having a fining date before mad of the application on which priority is claimed. Prior Foreign Application Number(a) Additional provisional application numbers are fisted on a supplemental priority date sheet. Thereby claim the benefit under 35 U.S.C. 119(e) of any Initied Sities provisional application on unbers are fisted on a supplemental priority date sheet.	Submitted OR Sub	omitted after Initial	Group Art Unit					
My residence, post office address, and distanship are as alsied below next to my name I believe i am the original, first and sole inventor (if only one name is tisted below) or an odginal, first and joint inventor (if plural names are liabed below) of this adject which is claimed and for which a parent a south on the invention entitled: INHIBITORS OF INTESTINAL APICAL MEMBRANE NAPHOSPHATE CO-TRANSPORTATION Interpretation of which (This of the Invention) is a statistical hereto OR Wiss filed on (MIMDDYYY) O1/21/2000 as United States Application Number or PCT International Application Number PCT/USO/01681 And was amended in (MIMDDYYY) (If application, including the claims, as amended by any amendment specifically referred to above. I admondadge the duty to disclose information which is material to potentiability as defined in 37 CFR 1.58. I hereby claim foreign priority benefits under 35 U.B.C. 113(a)-(c) or 38(b) of any toriagn application (and priority defined and the application which designated at least one country other than the United States of America, fisited below and have also intentible bloom, by detecting the box, any decaying application having a ming data before that of the application having a ming data before that of the application having a ming data before that of the application having a ming data before (NIMDDYYY) Additional foreign application having a 119(a) of any United States provisional policy data sheet PTO/SB/025 adached hereto: Thereby claim the benefit under 35 U.S.C. 119(a) of any United States provisional policy listed below. Application number(s) Filing Caste (MIMDD/YYYY) Additional provisional application numbers are listed on a supplemental priority data sheet.	Filing (37	CFR 1.16 (e))	Examiner Name					
My residence, post office address, and distanship are as alsied below next to my name I believe i am the original, first and sole inventor (if only one name is tisted below) or an odginal, first and joint inventor (if plural names are liabed below) of this adject which is claimed and for which a parent a south on the invention entitled: INHIBITORS OF INTESTINAL APICAL MEMBRANE NAPHOSPHATE CO-TRANSPORTATION Interpretation of which (This of the Invention) is a statistical hereto OR Wiss filed on (MIMDDYYY) O1/21/2000 as United States Application Number or PCT International Application Number PCT/USO/01681 And was amended in (MIMDDYYY) (If application, including the claims, as amended by any amendment specifically referred to above. I admondadge the duty to disclose information which is material to potentiability as defined in 37 CFR 1.58. I hereby claim foreign priority benefits under 35 U.B.C. 113(a)-(c) or 38(b) of any toriagn application (and priority defined and the application which designated at least one country other than the United States of America, fisited below and have also intentible bloom, by detecting the box, any decaying application having a ming data before that of the application having a ming data before that of the application having a ming data before that of the application having a ming data before (NIMDDYYY) Additional foreign application having a 119(a) of any United States provisional policy data sheet PTO/SB/025 adached hereto: Thereby claim the benefit under 35 U.S.C. 119(a) of any United States provisional policy listed below. Application number(s) Filing Caste (MIMDD/YYYY) Additional provisional application numbers are listed on a supplemental priority data sheet.			N					
Itelieve i am the original, first and sela inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subspect matter which is claimed and for which a parent at south on the invention entitled:	As a below named inventor, I hereby	declare	·····					
INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION the specification of which (Title of the Invention) is attached hereto OR Was filed on (MM/DD/YYY) O1/21/2000 Jas United States Application Number or PCT International Application Number PCT/US00/01681 And was amended on (MM/DD/YYY) (If applicable), I have removed and understand the contents of the above iscentified speathosition, including the claims, as amended by any arrandment specifically referred to above. I schmowledge the duty to disclose information which is material to potentiability as defined in 37 CFR 1.58. I hereby claim breign priority benefits under 35 U.S.C. 119(e)-(c) or 385(b) of any torraign application (s) for potent or inventor's certificate, or 385(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by dendering the box, any foreign application for patient or inventor's certificate, or of entry PCT international application retrieving a mining date before the state of the priority is dained. Prior Ferreign Application Number(a) Country Priorign Priority Certified Copy Attached? Number(a) Additional foreign application mumbers are listed on a sucodemental priority data whest PTO/SBR028 attached hereto: International application in unbarries are listed on a sucodemental provisional application in unbarries are listed on a supplication numbers are listed on a supplication numbers are listed on a supplication numbers are listed on a supplication in unbarries are listed on a supplication for a supplication for a supplication for a supplication for mumbers are listed on a supplication for mumbers are listed on a supplication for a supplication for an analysis of the priority data sheet	My residence, post office address, and	oluzenskip are as ataled b	elow next to my name					
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DECLARATION—Utility or Design Patent Application

I haraby down the benefit under 35 U.S.C. 120 of any United states application(s), or 365(c) of any PCT international application designating the United States of Amenda, Itside below and, insofar as the subject matter of each of the dams of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of SS U.S.C. 112, I advantage the duty to disclose information which is material to paragraph of SS U.S.C. 112, I advantage the duty to disclose information which is material to paragraph as defined in 37 CFR 1.58 which became available between the fitting date of the prior application and the rational first paragraph of this application.													
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Peter Rogals				38,601		-							
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Name	Peter	Rogalskyj, Es	q .										
Address	Bram	an & Rogalsky	yj, LLP										
Address	P.O. F	Box 352							·				
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Name of Sole	or Firs	t inventor:					petition	ın has been file	d for this	៖ បានខ្មែក	ed inventor		
Giv	en Nam	e (first and middl	le (if anvi)			Family Name or Sumame							
Brian E.		-				Peer	Peerce						
Inventor's Signature		Bun	<u>) 7</u>	Pur	u						Cate	9/5/00	
Residence: Cit	ţv	Galveston		State	Texas	Co	untry	U.S.A.			Citizanshio	us	
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ASSIGNMENT

WHEREAS, I, Brian E. Peerce, a United States citizen, residing at 116 Tarpon Avenue, Galveston, Texas 77550, have invented certain new and useful improvements in INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION for which I have executed an Application for Letters Patent in the United States, filed as U.S. Serial No. 09/646,654 on September 20, 2000;

AND WHEREAS, the Board of Regents, The University of Texas System, with its principal place of business at 201 West 7th Street, Austin, Texas 78701, desires to acquire the entire right, title and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for good and valuable consideration including salary or payment for the making of inventions, or employee benefits, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Board of Regents, The University of Texas System, its successors, legal representatives and assigns, the entire right, title and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may have been or which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Board of Regents, The University of Texas System, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said Board of Regents, The University of Texas System, its successors, legal representatives and assigns, any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Board of Regents, The University of Texas System, its

successors, legal representatives and assigns, to obtain an enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal

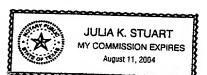
this 25 day of October, 2001.

Brain E. Peerce

STATE OF TEXAS
COUNTY OF GALVESTO

ss: 102-44-9272

This <u>25</u> day of October, 2001, before me personally came the above-named **Brain E. Peerce**, to me personally known as the individual who executed the same of his/her own free will for the purposes therein set forth.



Julia K. Stuart

Notary Public